
HOUSE BILL No. 1710

DIGEST OF INTRODUCED BILL

Citations Affected: IC 9-19-11-2.

Synopsis: Child restraint system requirement. Provides that the requirement that a child be fastened in a child restraint system while in a motor vehicle applies to: (1) a child less than four years of age; and (2) a child of at least four years of age who weighs less than 80 pounds and is less than 57 inches tall. (Under current law, the requirement applies to a child less than eight years of age.) Creates an exemption from the child restraint system requirement for a child at least four years of age if the child is riding in a motor vehicle that seats more than nine and is owned or leased and operated by a day care center, a preschool, or a kindergarten.

Effective: July 1, 2005.

Ruppel, Stutzman

January 19, 2005, read first time and referred to Committee on Roads and Transportation.

C
o
p
y



Introduced

First Regular Session 114th General Assembly (2005)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2004 Regular Session of the General Assembly.

HOUSE BILL No. 1710

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

Be it enacted by the General Assembly of the State of Indiana:

SECTION 1. IC 9-19-11-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 2. (a) **Except as provided in subsection (b)**, a person who:

(1) holds an Indiana driver's license; and

(2) operates a motor vehicle in which there is:

(A) a child less than ~~eight (8)~~ **four (4)** years of age who is not properly fastened and restrained according to the child restraint system manufacturer's instructions by a child restraint system; **or**

(B) a child at least **four (4)** years of age who:

(i) weighs less than ~~eighty (80)~~ **pounds**; and

(ii) is less than ~~fifty-seven (57)~~ **inches** tall;

who is not properly fastened and restrained in a child restraint system according to the child restraint system manufacturer's instructions;

commits a Class D infraction, unless it is reasonably determined that the child will not fit in a child ~~passenger~~ restraint system.

2005

IN 1710—LS 7485/DI 106+



C
o
p
y

1 **(b) A person described in subsection (a) who operates a motor**
2 **vehicle in which there is a child described in subsection (a)(2)(B)**
3 **who is not not fastened and restrained in a child restraint system**
4 **does not commit a Class D infraction if the motor vehicle operated**
5 **by the person:**

6 **(1) has a seating capacity greater than nine (9) individuals;**
7 **and**

8 **(2) is owned or leased and operated by:**

9 **(A) a day care center;**

10 **(B) a preschool; or**

11 **(C) a kindergarten.**

12 ~~(b)~~ **(c) Notwithstanding IC 34-28-5-5(c), funds collected as**
13 **judgments for violations under this section shall be deposited in the**
14 **child restraint system account established by section 9 of this chapter.**

C
O
P
Y

